

Message Text

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ROME FOR LEGATT

E.O. 11652: N/A
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SUBJECT: STATUS REPORT ON EXTRADITION CASES

1. IN A MEETING, MARCH 22, AT MFA WITH MINISTRY OF JUSTICE ATTORNEYS, DENNIS GOLDMAN AND DANIELLA GORNI, THE STATUS OF FIVE PENDING EXTRADITION CASES (DOV COHEN; ABRAHAM SAFRAI; RUBIN GRAZIANI; NURIEL NURIELLI AND FRANK H. KLEIN) WERE REVIEWED.

2. WITH THE EXCEPTION OF NURIELLI AND KLEIN, LITTLE MOVEMENT TOWARDS EXTRADITION CAN BE EXPECTED PENDING THE ENTRY INTO FORCE OF THE OFFENCES COMMITTED ABROAD AMENDMENT LAW ON JULY 12, 1978. COHEN, SAFRAI AND GRAZIANI WERE CITIZENS OF ISRAEL PRIOR TO COMMITTING THE CRIMES FOR WHICH THEY ARE CHARGED AND WILL BENEFIT DIRECTLY FROM THE NEW LAW.

3. NURIELLI, ALTHOUGH A CITIZEN OF ISRAEL BY BIRTH, WAS DECLARED SUBJECT TO EXTRADITION BY THE DISTRICT COURT OF JERUSALEM ON MARCH 9, 1978. HIS ATTORNEY HAS THIRTY DAYS WITHIN WHICH TO FILE AN APPEAL BEFORE THE SUPREME COURT. NURIELLI REMAINS UNDER ARREST, THE COURT HAVING REFUSED TO
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RELEASE HIM ON BAIL.

4. DEPUTY STATE ATTORNEY, DANIELLA GORNI, HAS REVIEWED THE DOCUMENTARY EVIDENCE SUBMITTED WITH THE REQUEST FOR THE EXTRADITION OF FRANK H. KLEIN AND HAS FOUND IT LACKING. EMBASSY IS SUBMITTING IN SEPTEL HER REQUEST FOR ADDITIONAL EVIDENCE TO SUPPORT EXTRADITION. KLEIN IS NOT AN ISRAELI CITIZEN,

ALTHOUGH HE IS MAKING STRENUOUS EFFORTS TO OBTAIN SUCH CITIZENSHIP. MOJ ATTORNEYS SUSPECT KLEIN MAY SOON LEARN OF EXTRADITION PROCEEDINGS AND HAVE DECIDED IT BEST TO ISSUE AN IMMEDIATE WARRANT FOR HIS ARREST. THEY CONSIDER HIM ELIGIBLE FOR BAIL REGARDLESS OF WHEN ARRESTED AND HIS IMMEDIATE ARREST MIGHT AT LEAST HINDER DEPARTURE FROM ISRAEL. EMBASSY HAS ADVISED MOJ ATTORNEYS TO ACT AS THEY BELIEVE BEST RE TIMING OF ARREST.

COMMENT:

IN SUMMARY, ACTION IS POSSIBLE ON TWO OF THE FIVE PENDING EXTRADITION CASES. THE KLEIN CASE IS NOT AFFECTED BY NEW LEGISLATION AS KLEIN IS NOT AN ISRAELI CITIZEN. ALTHOUGH NURIELLI IS ISRAELI BY BIRTH, THE GOI APPEARS TO BE MOVING QUICKLY AGAINST HIM WITH THE POSSIBILITY THAT HE MAY BE EXTRADITED PRIOR TO JULY 12. THE NEW LEGISLATION PROVIDES FOR SERVING INTERRUPTED PRISON SENTENCES IN ISRAEL IF THERE IS A FORMAL REQUEST FOR SUCH. MOJ ATTORNEYS HAVE SUGGESTED THE POSSIBILITY OF NURIELLI COMPLETING HIS SENTENCE IN ISRAEL MIGHT BE CONSIDERED LATER IF IT APPEARS HE CANNOT BE EXTRADITED BEFORE JULY 12.

VIETS

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